



Public Notice

**U.S. Army Corps
Of Engineers
Galveston District**

Permit Application No: 23057
Date Issued: 27 May 2003
Comments Due: 26 June 2003

U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

PURPOSE OF PUBLIC NOTICE: To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

AUTHORITY: This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

APPLICANT: Valero Logistics Operations, Inc.
6000 North Loop 1604 West
San Antonio, Texas 78249-1100
Telephone: 210-592-6000

AGENT: Pro Plus, Inc.
11150 South Wilcrest Drive, Suite 101
Houston, Texas 77099-4343
Telephone: 281-568-9200
POC: Gerald Steindorff

LOCATION: The project originates in the Valero Refinery located at 5900 Up River Road, Corpus Christi, Texas, and ends at the Odem Meter Station on FM 1704, approximately 5.5 miles south of intersection of Highway 181. The project can be located on the U.S.G.S. quadrangle map entitled: Estes, Texas. Approximate UTM Coordinates: Zone 14; Easting: 649000; Northing: 3078154.

PROJECT DESCRIPTION: The applicant proposes to construct an 8" pipeline from the Valero Refinery to the Odem Meter Station. The pipeline consists of a total of approximately 44,000 feet of 8" steel pipe. Three types of construction will be involved: directionally drilled crossings, marine construction,

and mainline land construction. One directional drill of approximately 4,400 lineal feet will be performed with the drill entry in the Valero West Refinery and the drill exit in Nueces Bay (sheet 2). The pipe to be installed will be trucked to the contractor's dock and transferred to a deck barge. The pipe barge along with the pipe lay barge and spud barge with dragline/crane will be towed via the Gulf Intracoastal Waterway (GIWW), Corpus Christi Ship Channel, and existing barge canals (sheet 5) to the drill exit site. All vessels employed will be shallow draft. The drill exit will be pre-dug and drilling will commence in the Valero Refinery. The drill exit will be enclosed on three sides by silt screens. The pipe string will be fabricated and pre-tested prior to pull-back. Water for the pre-test will be fresh water barged to the site. When the pre-tested section is dewatered, the water will be returned to the barge for pre-testing of the North Shore approach drill section.

The drilling operation in the Valero Refinery will be performed after the drill entry site has been prepared and silt fencing installed on the down slope side of the site. The pilot hole will be drilled and reamed. The pipe section will then be pulled back to the Valero Refinery. Water for the drilling operation will be available from the Refinery. Bentonite will be mixed in tanks and pumped through the pipe to return the drill cuttings. Once this operation is complete, the drill rig will be moved to the drill site on the North Shore and the operation will be repeated there (sheet 3).

The section in Nueces Bay between the two drill exits will be constructed in the same manner as the drill sections and tied into the drill sections. The Bay section will be buried with three feet of cover by jetting (sheet 4).

The remainder of the pipeline is in uplands and is non-jurisdictional.

The proposed work will avoid impacts to seagrasses, wetlands, and oysters.

The applicant's plans are enclosed in 8 sheets.

NOTES: This public notice is being issued based on information furnished by the applicant. This information has not been verified.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the Clean Water Act (CWA).

OTHER AGENCY AUTHORIZATIONS: Texas Railroad Commission certification is required. Texas Coastal Zone consistency certification is required. The applicant has stated that the project is consistent with the Texas Coastal Management Program goals and policies and will be conducted in a manner consistent with said Program.

STATE WATER QUALITY CERTIFICATION: Texas Railroad Commission water quality certification is required.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

The permit area has been so extensively modified that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat or Federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-330, the Regulatory Programs of the Corps of Engineers, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Impact Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps of Engineers may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues are substantial and should be considered in the permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before **26 June 2003**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections**. Comments and requests for additional information should be submitted to:

Shelly Carter
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U.S. Army Corps of Engineers
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Corpus Christi, Texas 78411-4318
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